

The Philanthropist.

PUBLISHED BY THE EXECUTIVE COMMITTEE OF THE OHIO ANTI-SLAVERY SOCIETY.

JAMES G. BIRNEY AND

We are verily guilty concerning our brother *** therefore is this distress come upon us.

GAMALIEL BAILEY, Jr., EDITORS

VOLUME I.

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THE PHILANTHROPIST.

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POETRY.

For the Philanthropist.

The Slave's Prayer.

"How much
The bursting heart may pour itself in prayer!"

My Father, hear!

With stricken heart I come before thee now;
For those, who with me here were wont to bow,
Are gone forever. Had it been but death—
Hadst thou in mercy but recall'd the breath,
That first thou gavest—I had smiled to see
The grave close o'er them; then they had been free.
She, whom thou gavest to be with me—those,
Whom smiles oft sooth'd their parents' bitterest woes—
All, all are gone. With aching heart and brow,
Lonely and desolate, to thee I bow.

My Father, hear!

If, when they tore from me my babes—my wife,
And sever'd all the dearest ties of life,
Thine eye beheld one wish with vengeance fraught,
Forgive in mercy the unbidden thought!
Spare the oppressor; turn his heart to thee—
Spare him the bitter words he heaped on me!
If, while I plead with thee, th' avenging rod
Is trembling o'er him—spare him, oh my God!

M. L. B.

Cincinnati, Jan. 18th 1837.

TEXAS.

MESSAGE OF THE PRESIDENT.

To the House of Representatives of the U. S.

During the last session intimation was given to Congress, by the Executive, that measures had been taken to ascertain "the political, military condition of Texas. I now submit, for your consideration, extracts from a report of the agent, who had been appointed to collect it, relative to the condition of that country.

No steps have been taken by the Executive towards the acknowledgement of the independence of Texas; and the whole subject would have been left without further remark, on the information now given to Congress, were it not that the two Houses at their last session, acting separately, passed resolutions "that the independence of Texas ought to be acknowledged by the United States, whenever satisfactory information should be received that it had in successful operation a civil government capable of performing the duties and fulfilling the obligations of an independent power." This mark of interest in the question of the independence of Texas, and indication of the views of Congress, make it proper that I should, somewhat in detail, present the considerations that have governed the Executive in continuing to occupy the ground previously taken in the contest between Mexico and Texas.

The acknowledgement of a new state as independent, and entitled to a place in the family of nations, is at all times an act of great delicacy and responsibility; but more especially so, when one State has forcibly separated from another, of which it had formed an integral part, and which still claims dominion over it. A premature recognition, under these circumstances, if not looked upon as justifiable cause of war, is always liable to be regarded as a proof of an unfriendly spirit to one of the contending parties. All questions relative to the government of foreign nations, whether of the old or of the new world, have been treated by the United States as questions of fact only, and our predecessors have cautiously abstained from deciding upon them, until the clearest evidence was in their possession, to enable them not only to decide correctly, but to shield their decisions from every unworthy imputation. In all the contests that have arisen out of the revolution of France, out of the disputes relating to the crowns of Portugal and Spain, out of the revolutionary movements in those kingdoms, out of the separation of the American possessions of both, from the European Governments, and out of the numerous and constantly occurring struggles for dominion in Spanish America, so wisely consistent with our just principles has been the action of our government, that we have, under the most critical circumstances, avoided all censure, and encountered no other evil than that produced by a transient estrangement of good will in those against whom we have been, by force of evidence, compelled to decide.

It has thus been made known to the world that the uniform policy and practice of the United States is, to avoid all interference in disputes, which merely relate to the internal government of other nations, and eventually to recognize the authority of the prevailing party, without interference to our particular interests and views, or to the merits of the original controversy. Public opinion here is so firmly established and well understood in favor of this policy, that no serious disagreement has ever arisen among ourselves in relation to it, although brought under review in a variety of forms, and at periods when the minds of the people were greatly excited by the agitation of topics purely domestic in their character. Nor has any deliberate inquiry ever been instituted in Congress, or in any of our Legislative bodies as to whom belonged the power of originally recognizing a new State; a power, the exercise of which is equivalent, under some circumstances, to a declaration of war; a power nowhere expressly delegated, only granted in the constitution as it is necessarily involved in some

of the great powers given to Congress, in that given to the President and Senate to form treaties with foreign powers, and to appoint ambassadors and other public ministers; and in that conferred upon the President to receive ministers from foreign nations.

In the preamble to the resolutions of the House of Representatives, it is distinctly intimated, that the expediency of recognizing the independence of Texas should be left to the decision of Congress. In this view, on the ground of expediency, I am disposed to concur; and do not, therefore, consider it necessary to express any opinion as to the strict constitutional right of the Executive, either apart or in conjunction with the Senate, over the subject. It is to be presumed that on no future occasion will a dispute arise, as none has heretofore occurred, between the Executive and Legislative in the exercise of the power of recognition. It will always be considered consistent with the spirit of the constitution and most safe that it should be exercised, when probably leading to war, with a previous understanding with that body by whom war can alone be declared, and by whom all the provisions for sustaining its perils must be furnished. Its submission to Congress, which represents in one of its branches the States of this Union, and in the other the people of the U. States, where there may be reasonable ground to apprehend so grave a consequence, would certainly afford the fullest satisfaction to our own country, and a perfect guaranty to all other nations of the justice and prudence of the measures which might be adopted. In making these suggestions, it is not my purpose to relieve myself from the responsibility of expressing my own opinions of the course the interests of our country prescribe, and its honor permits us to follow.

It is scarcely to be imagined that a question of this character could be presented, in relation to which it would be more difficult for the United States to avoid exciting the suspicion and jealousies of other powers, and maintain their established character for fair and impartial dealing; but on this as on every other trying occasion, safety is to be found in a rigid adherence to principle.

In the contest between Spain and her revolted colonies, we stood aloof, and waited, not only until the ability of the new States to protect themselves was fully established, but until the danger of their being again subjugated had entirely passed away. Then, and not till then, were they recognized. Such was our course in regard to Mexico herself. The same policy was observed in all the disputes growing out of the separation into distinct Governments of those Spanish American States, who began or carried on the contest with the parent country, united under one form of government.

We acknowledged the separate independence of New Grenada, of Venezuela, and of Ecuador, only after their independent existence was no longer a subject of dispute, or was actually acquiesced in by those with whom they had been previously united. It is true that, with regard to Texas, the civil authority of Mexico has been expelled, its invading army defeated, the Chief of the Republic himself captured, and all present power to control the newly organized Government of Texas annihilated within its confines. But, on the other hand, there is, in appearance at least, an immense disparity of physical force on the side of Mexico. The Mexican Republic, under another Executive, is rallying its forces under a new leader, and menacing a fresh invasion to recover her lost dominion. Upon the issue of this threatened invasion, the independence of Texas may be considered as suspended; and were there nothing peculiar in the relative situation of the United States and Texas, our acknowledgement of its independence at such a crisis could scarcely be regarded as consistent with that prudent reserve, with which we have heretofore held ourselves bound to treat all similar questions. But there are circumstances in the relation of the two countries which require us to act, on this occasion, with even more than our wonted caution.

Texas was once claimed as a part of our property; and there are those among our citizens who, always reluctant to abandon that claim, cannot but regard with solicitude the prospect of the reunion of the territory to this country. A large proportion of its civilized inhabitants are emigrants from the United States, speak the same language with ourselves, cherish the same principles, political and religious, and are bound to many of our citizens by ties of friendship and kindred blood; and more than all, it is known that the people of that country have instituted the same form of Government with our own, and have, since the close of our last session, openly resolved, on the acknowledgement by us of their independence, to seek for admission into the Union as one of the Federal States. This last circumstance is a matter of peculiar delicacy, and forces upon us considerations of the gravest character. The title of Texas to the territory she claims, is identified with her independence.—She asks us to acknowledge that title to the territory, with an avowed design to treat immediately for its transfer to the United States.

It becomes us to beware of a too early movement, as it might subject us, however unjustly, to the imputation of seeking to establish the claim of our neighbors to a territory, with a view to its subsequent acquisition by ourselves. Prudence, therefore, seems to indicate that we should stand aloof, and maintain our present attitude, if not until Mexico itself, or one of the great foreign powers shall recognize the independence of the new Government; at least until the lapse of time or the course of events shall have proved beyond cavil or dispute, the ability of the people of that country to maintain their separate sovereignty, and to uphold the government constituted by them. Neither of the contending parties can justly complain of this course. By pursuing it we are but carrying out the long established policy of our

Government—a policy which has secured to us respect and influence abroad, and inspired confidence at home.

Having thus discharged my duty, by presenting with simplicity and directness, the views which after much reflection, I have been led to take of this important subject, I have only to add the expression of my confidence, that if Congress shall differ with me upon it, their judgment will be the result of dispassionate, prudent, and wise deliberation; with the assurance that, during the short time I shall continue connected with the Government, I shall promptly and cordially unite with you in such measures as may be deemed best fitted to increase the prosperity and perpetuate the peace of our favored country.

ANDREW JACKSON.

Washington, Dec. 21, 1836.

THE SLAVE-HOLDER.

Under this head we place five articles, from which our friends may learn something additional of the Decency, Humanity, and Wisdom of the Spirit of Slavery.—ED. PHIL.

From a New Orleans paper.

BOSTON ABOLITIONISTS.

Odious as the proceedings of the northern abolitionists have appeared in our estimation, we have heretofore supposed them to be acting from the honest impulses of a misguided philanthropy and zeal, and under that belief have viewed their conduct with much allowance. Recent disclosures, however, have proved to us very clearly, that so far from being actuated solely by a love for the freedom of the slaves, and a sincere desire for the melioration of their condition, interest, the sordid and selfish hope of personal aggrandizement, is the moving cause of many of their late exertions. We have been loth to give credence to the fact, yet it is undoubtedly true, that in Boston, the boasted centre of knowledge and religion, there is to be found a set of men unwearied by public opinion, who are constantly engaged in deceiving and wresting away slaves from southern visitors in their city, for the sole purpose of enjoying their services themselves, and that they put in practice every vile scheme which cunning can suggest or depravity will resort to, to ascertain the presence of their prey, and to find witnesses who will aid them in securing it. Women are sent about to houses where slaves are supposed to be staying, under pretence of looking up Sunday-school children, that they may collect evidence. Spies are established in every direction to see that they are not removed, and lastly, to make assurance doubly sure, ships are now boarded before entering, and while leaving the port.

In the case of our citizen, Mr. Slater, having ascertained by means of their female Sunday school emissaries, the house at which his negro girl was staying, they forcibly abducted and secreted her, and upon the extraordinary decision of their fellow laborer Judge Shaw, bound her to one of their beloved coteries, to serve as a slave until her majority. No other evidence of their want of principle or feeling, of their reckless disregard of all justice and propriety need be given, than their conduct in this single instance.

Here was a child only six years old, which had been taken to the North chiefly for its health, torn from its friends who were really attached to it, and from its family, which was in Mr. Slater's possession, to be kept in servitude among strangers. They were informed that the child had a mother devoted to it, and who was anxious for its return, and would be rendered unhappy without it, yet philanthropists as they were, professing to be laboring solely for the happiness of the child, they heard those statements with indifference. Mr. Slater applied for the guardianship of the child when it was apprenticed, but was refused, in the pretence that he would return to New Orleans and enslave it, and one of their own selected without any security being required that he would not remove it into a slave state. Under no consideration could the rightful guardian be allowed to have charge of the child, lest he should again bring it into bondage; they preferred making a slave of it themselves, and enjoying its services for the next fifteen years, rather than suffer it to rejoin its kindred under a good master and be happy.

These things indicate too plainly the motives and principles by which the abolitionists of Boston are influenced, and we are sorry to believe, that a city of such intelligence should countenance them in their course. We say countenance, for we believe that were public opinion opposed to their movements, they would soon cease, the frowns of the community have an irresistible influence which the most worthless and abased cannot withstand. If we were mistaken in our supposition, and the intelligent and respectable portion of the community are really opposed to the rash and intemperate measures of those disorganizers, it becomes them to make it known and to exert themselves for the protection of our rights when we visit their soil. What can they gain by having our slaves turned loose amongst them? Are they not creating at home a positive evil, at the same time they are doing us an essential injury? Are they not well convinced from the statements of their own travellers and observers, that the condition of the Southern slave is ten-fold better than that of the Northern free negro, better for himself and for the community at large? Why then will they permit a set of miserable fanatics we can no longer call them scheming, cunning, heartless individuals, to watch like spies, for the entrance of our citizens into their city to rob them of their lawful property? The consequence of a longer continuance of these matters is plain. Our citizens ever must discountenance their visits to that country, and our merchants must go elsewhere to buy their wares and goods. It is but recently that they commenced trading to any extent in that quarter, and Boston has recei-

ved more of our custom the past year than she ever did before, but henceforward it behooves us to go elsewhere to buy our shoes, our hats, our chairs, our candles, fish, &c., in other markets. We have the remedy in our own hands, and they must be foolish indeed if they do not at once perceive who is to suffer by its exercise. We are able to live without an intercourse with them, but we doubt if they agree willingly to the loss of our trade.

From the Richmond Whig.

POLITICAL THOUGHTS AND VATICINATIONS.

SLAVERY.—It is instructive to witness the competition of demagoguism. Mr. Dallas proclaims the power of a State Convention to annul charters previously authorized by the State Government. Mr. Ingersoll, jealous of the credit acquired by Mr. Dallas with the democracy, not the sound and reflective democracy, but tag and rag, is determined to outbid him, and claims this power for the ordinary Legislature! The contest is for the great favor with the mob, who have never yet been roused, that they did not seek to level, pull down and destroy.

There is an evident tendency to the excesses of jacobinism and agrarianism in the United States, created by that devotion to the person of a leader, which in its extravagant zeal has lost sight of principle. We have reason to know that many government men themselves are alarmed at the symptoms, and know not where nor how the distemper of the times is to end. We of the South have cause now, and will soon have greater, to congratulate ourselves on the existence of a population amongst us, which excludes that populace, which in effect rules some of our Northern neighbors, and is rapidly gaining strength wherever slavery does not exist—a populace made up of the dregs of Europe, and the most worthless portion of the native population. We have been sometimes taunted, sometimes consoled with the remark, that our Northern brethren will step in to suppress domestic insurrections amongst us! Whoever lives to witness the first exchange of friendly offices between the North and South in this respect, will see the banner of the South crossing the Potomac and the Delaware to the relief of northern property and constitutional liberty against the fierce and exterminating aggressions of jacobins, levellers, and agrarians.

Instead of rejoicing in the rapid emigration of slaves, which many do in the hope that the drain will at length relieve Virginia from that population, and make her what is called a free State, the farsighted patriot ought to regret the circumstance as producing greater evils than it cures. We cannot attain so high a degree of prosperity as communities exempt from slavery; but we are better secured in our liberty and tranquillity. We have no cause to fear agrarian and levelling licentiousness where slaves constitute the populace; and the tyranny of the mob is not only worse and more bloody than that of kings, but more immediately to be dreaded in this country. On these heads we confess our minds to have undergone, in five years, a total revolution, set in motion, at first, by the Northern Abolitionists, and completed by the scenes of the year. Let us hold to the slaves as a shield against levellers and agrarians, for which purpose they are far more valuable than for their labor. We were startled at the first announcement of the proposition that liberty cannot long exist without slavery. The seeming paradox overwhelmed the mind at the first contemplation. But is it not truly philosophical? We will not stop to prove it; time will inscribe it as an infallible truth on the page of American history.

We are comparatively secured against the convulsive throes which, at no distant day, will agitate the Northern communities, and the seeds of which their demagogues are now scattering with a profuse hand. Let us remain so by guarding and cherishing our own customs, and institutions, and frowning down the attempts to New Yorkize us.

*Has the man forgotten the Southampton Insurrection?

From the U. S. Telegraph.

DUFF GREEN—GOV. RITNER.

"The message of the Governor to the Legislature of Pennsylvania occupies nearly ten closely printed columns in the Philadelphia Gazette. We have no space for a document of such inordinate length, even if its topics were of sufficient general interest to the public to warrant so heavy a tax on its patience. But there is another objection of still greater force with us. We can hardly regard the opinions of the Chief Magistrate of one of the states of this Union as entitled to respect, who uses the privileges of his office to abuse and vilify the domestic institutions of other sister States; and to excite and inflame popular prejudices, under the plea of State consistency. It cannot be unknown to Gov. Ritner, for it is known to every man, that the question of slavery involves in itself the destinies of this Union. It is known to every man that the slaveholding States have expressed their firm and unalterable determination to allow no interference with this subject on the part of the Federal Government. It is known to every man of common information that any such attempt must lead to an immediate dissolution of the Union. It is further known that the unwarrantable course of the abolitionists in reference to the subject has already put our once free and happy Government in jeopardy. The man, then, who, with these facts before him, still persists in pressing the subject upon Congress and the country, is a public enemy, and deserves to be branded as a traitor. No party connections, no official dignity ought to protect him. He ought to be held up as one who is willing and anxious to end the experiment of free representative Government, to overthrow the only Republic on the earth, and to bathe its ruins in the blood of its citizens. There are no terms capable of expressing the ab-

horrence and detestation which such a man merits at the hands of the wise, the patriotic, and the good.

Yet, as a kind and merciful Providence will never permit an evil, from which some good will not be educed, we trust that this message may not be without some benefits. Balaam blessed when he was commissioned to curse only. This message may contribute to open the eyes of some whom partisan discipline has blinded to their true and vital interests. We have again and again told the southern people that their safety was in their own hands, and that it was in vain to trust to the mercies of others. We might tell them again, in the language of the noble poet—

"Trust not for freedom to the Franks—
They have a Chief who buys and sells;
In native swords and native ranks,
The only only hope of courage dwells."

We subjoin that portion of the message of this incendiary Governor which refers to the subject of slavery. What does he mean by referring to the act "to prevent certain abuses of the laws relative to fugitives from labor?" Does he mean by his "State doctrine," to recommend that these laws should be so amended as to prevent the reclamation of runaway slaves? Obviously such is the inference, or else why quote the words which follow? Does he regard the delivery of fugitive slaves to their owners as tolerating, "in the slightest degree," the system of domestic servitude? Is he not aware that this is required by the constitution of the United States? That there is an express clause in that instrument to this effect? He knows this; but, as if touched with the pernicious mania of Dallas and Wilkins, he seems ready to trample all constitutional guarantees under foot, in order to gratify his mad philanthropy. It is clear that if such plans and purposes as these are to prevail, that our constitution has become impotent to protect the rights it was intended to secure. There must be other safeguards established than those which exist upon parchment. We must resort to some more powerful weapon than paper to protect our lives, our liberties, our property.

But this fanatic chief is not content with the "State doctrine" of 1827. He must go further and call up every mad and mischievous spirit in the country, to gather together and pour out the vials of their wrath upon this District, "the very hearth and domestic abode of the national honor." The language indicates the miserable hallucination of the writer. "The abode of the national honor!" Where—in what kennel in this city is it habited? Nonsense—contemptible. The national honor, if there be any, resides with the people, and exhibits itself not in unholy and traitorous crusades against the constitution and the Union, but in the strict and ready observance of the faith pledged to each other in the articles of their compact—in a high and noble and patriotic devotion to the Union as established by their forefathers, and defended by themselves—in a generous and uncalculating interest in the peace, happiness, and prosperity of all the States—and the safety and security of their respective people. This is "national honor," and its abode is in the bosoms of virtuous and patriotic men, and not with hypocrites and madmen, here or elsewhere."

ADVERTISEMENT EXTRAORDINARY.

\$50 Dollars Reward.

"Ran away from the subscriber about 12 months since, his negro man Pauladore, commonly called Paul. His complexion is dark, about 50 years old, about 5 feet 8 inches high, stout built, very bow-legged, and flat footed; has lost the first joint of one of his big toes, moves slow when walking; surly countenance, with a hanging under lip. Paul was brought up in the coasting business, between this place and Charleston, between which places he has been sailing for the last 30 years, and is well known. I understand, Gen. R. Y. Hayne has purchased his wife and children from H. L. Pinckney, Esq., and has them now on his plantation, at Goose Creek, where, no doubt the fellow is frequently lurking, and may be much of his time in Charleston, or sometimes in the neighborhood of Georgetown. The above reward will be paid on his being lodged in the workhouse of Charleston, or jail at Georgetown. All persons are cautioned against harboring him under penalty of the law.
THOMAS DAVIS.
Nov. 28.

BRUTALITY.

The Vermont Telegraph copies the following from the Newbern (N. C.) Spectator, of Dec. 2, 1836.

200 Dollars Reward.—Ran away from the subscriber, about three years ago, a certain Negro man named Ben, commonly known by the name of Ben Fox.—He is about 5 feet 5 or 6 inches high, chunky made, yellow complexion, and had but one eye. Also, one other negro, by the name of Rigdon, who ran away on the 8th of this month. He is stout made, tall, and very black, with large lips.

I will give the reward of one hundred dollars for each of the above negroes to be delivered to me or confined in the jail of Lenoir or Jones county, or for the killing of them, so that I can see them. Masters of vessels and all others, are cautioned against harboring, employing, or carrying them away under the penalty of the law.
W. D. COBB.

Nov. 12, 1836.

FOR THE KILLING OF THEM, SO THAT HE CAN SEE THEM.—The Justices of the Peace, as will appear from the following notice, which accompanies the advertisement, are determined so far as they can to gratify this amiable longing after blood.

State of Ohio, North Carolina,
Lenoir County.

Whereas, complaint hath been this day made

to us, two of the justices of the Peace for said county, by William D. Cobb, of Jones county, that two negro slaves belonging to him, named BEN and RIGDON, had absconded themselves from their said master's service and are lurking about in the counties of Lenoir and Jones, committing acts of felony. These are, in the name of the state, to command the said slaves forthwith to surrender themselves and return home to their said master. And we do hereby also require the Sheriff of said county of Lenoir, to make diligent search and pursuit after the above mentioned slaves, and them having found, to apprehend and secure so that they may be conveyed to their said master, or otherwise discharged as the law directs. And the said sheriff is hereby empowered to raise and take with him such power of his county as he shall think fit for the apprehension of said slaves. And we do hereby, by virtue of an act of the assembly of this state concerning servants and slaves, intimate and declare, if the said slaves do not surrender themselves and return home to their master immediately after the publication of these presents, that any person may kill and destroy said slaves by such means as he or they think fit, without accusation or impeachment, of any crime or offence for so doing, or without incurring any penalty or forfeiture therefor.

Given under our hands and seals, this 12th Nov. 1836.
B. COLEMAN, J. P. [Seal].
JAS. JONES, J. P. [Seal.]

THE PHILANTHROPIST.

CINCINNATI, JAN. 27, 1837.

FINANCIAL AGENT.

We would inform our friends throughout the state, that M. R. Robinson, is now acting as Financial agent of the Ohio Anti-Slavery Society, under authority of the Executive Committee of the same.

REMARKS.

On Congressional Proceedings.

Slavery is the same in all times—always cruel, sensitive, suspicious, watchful, unrelenting, voracious. It always disposes to the same violence, prompts to the commission of the same crimes, and relies on the same advocacy. We all recollect the speeches in Congress, last session, on the reception of petitions for the abolition of Slavery in the District. It is curious to observe their agreement in temper and sentiment with speeches made in 1790, on the question of committing a memorial from the Society of Friends, praying Congress to interfere to mitigate the horrors of the slave-trade. In this very innocent memorial, slaveholders found enough to wake up their anger, and kindle their zeal in defence of slavery.

Mr. Tucker said it was a glaring interference with the constitution—a direct attack upon the rights and property of the Southern States—would end in the subversion of the government.

Mr. Burke thought the commitment subversive of the constitution, that it would sound an alarm and blow the trumpet of sedition in the Southern States.

Mr. Jackson painted in strong colors the consequences—revolt, insurrection, devastation.

Mr. Baldwin talked about the principles of accommodation and the mutual concessions, at the time the constitution was adopted.

Mr. Smith, S. C., said congress could not constitutionally interfere in the business. He talked about the 'property' of the southern people—'being secured and guaranteed to them by the constitution—about the advantage of slaves in preventing depopulation, &c., and about the 'humanity' and conspicuous morals of the proprietors.

Mr. Stone said 'there never was a society of any considerable extent, which did not interfere with the concerns of other people, and this interference has at one time or another deluged the world with blood.'

Mr. Jackson did not mean to controvert that 'Slavery was an evil habit, but that habit was already established, and there were peculiar situations in countries which rendered that habit necessary.' 'What,' he asked, 'is to be done with this uncultivated territory?'—(fertile lands in Georgia and S. Carolina.) 'Is it to remain a waste? Is the rice trade to be banished from our coasts, are Congress willing to deprive themselves of the revenue arising to them from that trade?'

Mr. Stone observed 'that the Union had received the different states with all their ill habits about them. This was one of these habits established long before the constitution, and could not now be remedied. He bade Congress beware. He called on them to attend to the interest of two whole states, as well as to the memorials of a Society of Quakers, who came forward to blow the trumpet of sedition, and to destroy that constitution which they had not in the least contributed by personal service or supply to establish.' He quoted against Dr. Franklin his parable about Abraham and the weary traveller—and asked, 'Has the Almighty borne with us for more than three-score years and ten? He has even made our country opulent and shed the blessings of affluence and prosperity on our land, notwithstanding all its slaves, and must we now be ruined on account of the tender consciences of a few scrupulous individuals who differ from us on this point?'

So we see there is nothing original in all the Southern declamation we annually hear, whenever humanity prays for the abolition of slavery in the District. Slaveholders in 1790, behaved precisely as slaveholders in 1836; except that their attitude was a little less haughty, their abuse not so excessive, their avowals somewhat less shameless.

Our readers may feel some interest in knowing what was Mr. Madison's sentiments concerning the commitment of the memorial. They were such as might be expected from his knowledge of the nature and design of the constitution. We shall transcribe them, as expressed in the same debate of which an account has been given, and as furnished in Elliot's Debates.

'Mr. Madison,' observed that it was his opinion yesterday, that the best way to proceed in the business was to commit the memorial without debate on the subject. From what has taken place, he was more convinced of the propriety of the idea; but as the business has engaged the attention of many members, and much has been said by gentlemen, he would offer a few observations for the consideration of the house. He then entered into a critical review of the circumstances respecting the adoption of the constitution; the ideas upon the limitation of the powers of Congress, to interfere in the regulations of commerce in slaves, and showing that they were not precluded from interposing in their importation; and generally, to regulate the mode in which every species of business shall be transacted. He adverted to the western country, and the cessions of Georgia, in which congress have certainly the power to regulate the subject of slavery; which shows that gentlemen are mistaken in supposing that congress cannot constitutionally interfere in the business in any degree whatever. He was in favor of committing the petition, and justified the measure, by repeated precedents in the proceedings of the house.

Would that every slaveholder were as honest in this matter, as was Mr. Madison. But, no! Interest has triumphed over common sense and common decency. Slaveholders now interpret the constitution in the light of slavery. Their doctrine is, what we have already commented on at large, 'whatever tends to disturb slaveholders in the enjoyment or the right of holding men as brutes, is unconstitutional.'

Reply to Judge L. (CONCLUDED.)

We will now touch on other parts of this gentleman's communication.

The 'moral power of freemen' is no 'new thing.' It is as old as the heavens and the earth. Do you pretend, sir, that the right to investigate every thing which God has placed under the eye of man, to discuss any question of which mind may conceive, and to promulgate opinions which the individual may believe truth, is a 'new thing under the sun?' This 'new thing' has been enjoyed, acknowledged and exemplified from the beginning, by every man acquainted with the amplitude of his rights, and the nobleness of his nature. This 'new thing' essayed the salvation of the primitive world, when Noah preached righteousness and a coming judgment. This 'new thing' spoke on the Mount, when the Divine Teacher commanded his disciples to go out into all the world and proclaim his gospel to every creature. This 'new thing' won the glories of martyrdom for the early promulgators of Christianity; was abhorred by a blind and vicious populace, anathematized by idolatrous priests, proscribed by wicked tyrants, but ultimately set the religion of Christ on the throne, and humbled kings beneath its sceptre. This 'new thing' was the sword of Luther, the soul of the reformation, the downfall of papacy, the redemption of Europe from the thrall of mental and moral despotism. This 'new thing' has given to England her present superiority over European nations; gave to this continent a people, who preferred desolation and death to the enslavement of the mind and conscience in a land flowing with plenty; and has wrought out for us, under the blessing of Providence, a salvation from political bondage. This 'new thing' has been the sleepless, fearful, unrelenting foe of tyranny, injustice and oppression from the beginning of time; and now is its voice every where heard, and now has its speech gone out into all the earth, shaking thrones, perplexing monarchs, troubling the oppressor both great and small, crying aloud in the ear of pride, prejudice, gain and tyranny, release the captive, break every yoke, let the oppressed go free, render to all their dues, do justice, love mercy and walk humbly before God. This 'thing,' old as the human race, venerable as truth, stronger than law, more precious than all earth's gold, Judge L. speaks lightly of, calling it a 'new thing,' in 'its nature perfectly lawless.'

Having reviewed the argument of Judge L., it might be expected that we now should show reasons why it would be wrong to curtail the liberty of speech and of the press, as exercised by abolitionists in relation to slavery. But we have at different times said so much on this point, that we will trespass on the patience of our readers no farther, than merely to recapitulate the heads of our arguments as heretofore published.

We have advocated the right of free discussion and protested against any restriction upon it, because—

Full freedom to express our thoughts is as much an inalienable right, as freedom to think or pursue happiness;

Our duties towards our fellow beings, as enjoined by natural and revealed religion, clearly depend to a great extent, for their performance, on liberty of speech and of the press;

A leading object of all good government has been to secure this liberty against encroachment;

When this liberty may be restricted, there is no real security for the advancement of any community in science, wisdom or morals;

Where this liberty may be restricted, there can be no security for the continuance of free institutions;

Reason, history and experience taught our fathers, that there was but one way legally to regulate the exercise of this liberty, and that was by taking cognizance of its palpable perversions;

Libel and slander are the only abuses of this liberty, which our laws have recognized, and these are easily defined and never promissive of, or necessary to, the accomplishment of a single end for which the liberty was given;

Penalties imposed on any other of its abuses would be inefficient, superseding the only appropriate corrective, which is, its well-directed use; and would strike at the very existence of the liberty itself. For example: prohibition of its exercise in relation to any system of opinions, doctrines or measures, would at once open the door to restrictions on its use in any case or all cases, and in our country the majority rule, so the majority would then become the standard of right and wrong—their decisions would be the sine qua non, in science, politics or religion;

As the majority are not always right, but in the early periods of all great reformations, always wrong—suggested improvements originating with the individual, and at first being advocated by the few—the full and perpetual protection of this liberty is demanded, to save the nation from stagnation or recession in civilization;

The Good, the Right, the True can never be injured in reputation or stability, by the most ample discussion; evil only fears its power; but for the sake of evil and the perpetuity of evil, one of the selectest gifts of heaven is not to be trodden under foot;

If the Constitution of the United States sanctioned slavery, the obliteration of the sanction, according to the prescribed mode, would be a legitimate object. In pursuit of this, free discussion of the whole system of slavery would become necessary. He, who in such a case would deny the liberty of speech and of the press to any individual, would manifest a degree of infatuation, inferior only to that which would proscribe this liberty when simply employed to persuade the slaveholder he is wrong and should do right;

The free states have a common interest with the slave states in the District of Columbia. Abolitionists are as much aggrieved by the existence of slavery there, as slaveholders imagine they would be by its abolition. They have as much right to contend for its abolition, as these have for its perpetuation. Abolitionists, in contending, use but the right of free discussion, and slaveholders may do the same. When the latter demand more, when they ask that the mouths of their antagonists be stopped, they ask for an outrage on the equal rights of abolitionists, for peculiar favors to themselves, and for the adoption into the administration of an equal republic, of the principles of favoritism;

Slavery and Free Discussion are antagonist principles. If Slavery be established by Southern laws, and secured by the Federal Constitution against foreign force, Free Discussion is eternally secured by Northern laws, and by the same Constitution expressly placed beyond all control. If Free Discussion is inimical to Slavery, Slavery is no less hostile to Free Discussion. Slaveholders certainly have no more reason to claim that we should cease to use the liberty of the press and of speech against them, than we have to claim that they should cease to practice a system, which conflicts with free discussion and threatens to impair our rights. Abolitionists can point triumphantly to the source of their right—the right to speak and print. Can slaveholders show with equal complacency the source of their right—their right to buy, hold and sell men? Millions of voices proclaim the blessings of free discussion. Who will sing praises to the genius of slavery?

Free discussion is the *via medicatrix* of the social body—the only wholesome remedial agent for the disorders arising from an imperfect constitution, code of laws, or system of

morals. The very provision for amendments, in our Federal constitution, presupposes the unrestrained right of free discussion, unless it be contended that it is wiser to make amendments without, than with deliberation and consultation.

The Constitution of the United States and the Constitutions of the free states declare that, 'the liberty of the press and of speech shall not be abridged.'

The question now is, who are acting unconstitutionally—slaveholders, who demand that this liberty be abridged, or abolitionists, who plead for its unimpairment? And again the question is, who are the 'fanatics'? abolitionists, who, for the love of freedom, contend without ceasing for the preservation of freedom's safeguard; or slaveholders, who, for the love of slavery, would blast every right, the use of which can disturb the repose of injustice, and make the heart of the oppressor quake?

Remarks on Dr. Channing's Letter. (CONCLUDED.)

To our remarks of a general nature made last week in reference to the course pursued at the North towards abolitionists by the Religious Press—by Theological professors—by Theological reviews—by Divines and those who, in conjunction with them, have had the control of churches, we now add some specifications. We are, by no means, unaware, that it may be objected, they are insulated cases. To this we reply, they have manifestly arisen, because of their supposed conformity with the state of opinion in particular religious sects, or in the community generally. If this conformity has not existed—if they have, in any degree failed to produce the influence intended, the error of those who have misjudged can detract nothing from the argument, we would build upon the facts they have furnished.

1. The General Assembly of the Presbyterian church convened at Pittsburgh in May. A large number of abolitionists—(the whole of that class in the free states constituting no small proportion of the Presbyterian church)—had sent in a memorial expressing their opinion of the inconsistency of slaveholding with christianity, and desiring the General Assembly to take the subject into consideration, with a view of purifying the church from this impurity. At the same time, the Religious slaveholders of the South, laid through their Ecclesiastical bodies declared, in the most lofty terms, that Slavery was not to be made a subject of discussion in the General Assembly, with any view to its extermination from the church, under pain of a secession from that of those who were slaveholders. In this state of things, the first act of the General Assembly on its convening was, to elect for its presiding officer, a slaveholder of but diminutive fame in the church, from the very hot-bed of slavery, both political and religious. The second thing that was done, was, in obedience to the mandate of the slaveholders, to elude, in the most bare-faced manner any decision on the subject of slavery.

2. About the same time the General Conference of the Methodist Episcopal church met in this city. Two of the members attended a meeting of the Cincinnati A. S. Society, and made some remarks. For this alone—nothing else being alleged—they were persecuted in the conference with an acrimony that is almost incredible to one who was not present, and made the subject of the bitterest public rebuke. There were only fourteen out of the whole number (about 150) who voted against the resolutions, and a large majority of the Conference were from the free states. The resolutions were recommended openly and without rebuke from any quarter, on the ground of their conformity with public opinion both in the slave states and the free. Abolitionists were condemned in the gross. Slaveholding was not only defended but recommended as a good thing, under existing circumstances, for the cause of religion, and in such favor did it seem to be at that time, that could the *fact* of the Conference have perpetuated it and secured it from any disturbance forever, it is by no means certain it would not have been granted.

3. The churches in the large cities generally have been shut not only against abolitionism, but against ministers who were known to be abolitionists. Slaveholders who have emancipated their slaves and advocated immediate emancipation have been treated in no way different from others. David Nelson a minister of the Gospel, who was afterwards hunted from his place of residence in Missouri by slaveholders—a native of a slave state—a former holder of slaves, when last in Boston could not, as it was said, obtain the use of a church in that city, for the purpose of recommending the cause of ministerial education in a Western College with which he was connected. In May 1836, the writer of these remarks, who, as an abolitionist, has been acknowledged to be temperate in his language and considerate in his manner of discussing slavery, was refused the use of every church in that city for which application was made, with the view of his delivering one or more lectures on immediate emancipation. The same refusal has occurred in Cincinnati, where the same acknowledgement of his temperance in discussing this subject is made. Within the last four weeks, application has been made here to the churches generally for the purpose of exhibiting views that all acknowledge to be important, and that cannot fail to be well received by the most virtuous part of the community whenever they are well understood. Out of the whole number (thirty or more) not one has responded in accordance with the request—whilst it may be, there is not a single person possessing any part of the power to grant the use of them, who will not allege, that he is as much opposed to slavery as the abolitionists are.

4. Dr. Sullivan of Boston, a gentleman of high standing in the profession of the Law, and the author of a 'Political class Book' intended for the higher classes in schools, &c. in a legal opinion lately given by him and published, uses this language:

'It is to be hoped and expected, that Massachusetts will enact laws, declaring the printing, publishing, and circulating papers and pamphlets on slavery; and also the holding of meetings to discuss slavery and abolition, to be public indictable offences, and provide for the punishment thereof in such a manner as will most effectually prevent such offences.'

5. The Rev. Dr. Ely, late a minister of a church in Philadelphia, now one of the Professors in a Theological Institution of the West, thought proper to appear before a band of slaveholders who had hunted the noble minded Nelson from his home, and there purge himself from any suspicion of being favorable to the cause of immediate emancipation, by declaring (as it is reported in the newspapers) that 'the regarded slavery as an evil which could only be destroyed by legislative action—that he viewed the abolitionists as deficient in philanthropy and piety, and that he was the absolute owner of one slave and was then contracting for more.'

6. Professor Stuart of Andover, is said to have admonished the young men preparing for the ministry under his charge, that when they prayed for the extermination of slavery, they should not do it publicly. [This statement has been made in the newspapers, and so far as I know, has not been denied.]

The above are a few cases, selected from the hundreds of a similar kind which lie scattered on the surface of our history for the last two or three years. A full collection would exhibit a sad and disgraceful record against even the most humane and enlightened portion of our country.

Let us now stop for a moment, to consider what it is, that makes an American slaveholder so totally inexcusable;

1. He violates the laws of natural justice, felt by all men.*
2. He violates these laws, more fully revealed, and established as the will of God:—'Thou shalt love thy neighbor as thyself.'
3. He acts as an oppressor and a despoiler of the Providence of God. There is not a nation, however mighty, that has not been degraded and ruined by slavery long persisted in.
4. He lives in continual violation of the principles on which his forefathers asserted their liberty and on which he now claims his, every where and under all circumstances crime excepted; *All men are created equal—are entitled to their lives—their liberty—and to the pursuit of happiness.* Slavery is not, like crime, an exception to these principles. It overthrows and contemptuously tramples on them.

Thus, the slaveholder passes his whole life, surrounded (as by the atmosphere) by principles acknowledged by him to be right—under which he claims for himself from his fellow-man every thing to which he is entitled as a man in his varied relations, under which he cherishes and has protected his own happiness in time, and looks with hope for it in eternity. These principles, admitted in their inherent and appropriate influences, would make him any thing but a slaveholder. They condemn him as a slaveholder every day and moment that he lives. Notwithstanding all this, he gives to Evil the ascendancy, and becomes and remains a slaveholder. Where is his justification or excuse? Is he ignorant? No: He claims from every one, so far as he is concerned, a due respect for all his rights under the laws of natural justice. Is he uninformed of the violation of God's will? He has had his Word in his hand all his life: from his very infancy he has heard him saying, 'Thou shalt love thy neighbor as thyself.' Is he untaught as to God's providence? His lessons have been spread out before him since the beginning of the world's history: they have been written in the corruption and the ruin of every nation that has persisted in the sin of slaveholding-oppression: they have been read and acknowledged in their immoral and destructive influences upon his own family, upon his neighbors, upon his countrymen; they have been seen as clear as the light of heaven in his blighted fields, his decaying edifices; in the growing dreariness and desolation of his country. All this he has seen and compared with the intellectual and moral energies—with the rapid improvements, the superior industry, the superior wealth, comfort, and happiness of countries where slavery has been extinguished. Is he ignorant of the foundation-principle of his own political and civil institutions? He has carried on his lips from infancy, and has used as household words, the noble declaration of his fathers, that 'all men are entitled to their liberty.' Where, then, we repeat it, is his excuse? There is none; absolutely none: and the loftier the intellect, the more improved the powers—the more delicate and refined the moral perceptions—the more tremendous, and appalling, and overwhelming must be the guilt.

And now we ask, is it intolerant to speak of guilt according to its degree? Is it intolerant to speak of the perpetrator of murder as a murderer—of robbery as a robber? Is it intolerant to attach to men and things their right names? If it be, then have abolitionists been intolerant, and have justly exposed themselves to the rebuke of those who can find excuse for the murderers and the robbers of their brethren, in the disadvantages under which they labor—in the deep prejudices of education—in the sanction of laws and customs—in the prescription of ages—and in the difficulties (always apparently real) attending an abandonment of murder and robbery.

But to come directly to the point at which these remarks aim—may it not properly be asked, by what rule of equity, under what claim of generosity do the free state-defenders of the slaveholder in his guilt—and those who are knowingly and wilfully silent whilst abolitionists and their measures are misrepresented and distorted, persecuted and insulted, demand to be put on a more favorable footing than their principals? They are traitors to their own institutions—they are acting so as to bring them into disrepute every where, and to impair their influence throughout the world. The Constitution of Massachusetts for instance, is not limited to the extermination of Slavery within her State-bounds. No: God has determined for it, if nobly sustained by those whom he has, in his providence blessed with it, an influence on slavery beyond its bounds, as certain if not so direct, as that which it exerts within them. The principle of LIBERTY incorporated in all the Constitutions of the free States wages eternal war with the PRINCIPLE OF SLAVERY no matter where it be found, whether in the Constitutions of Southern States or in that of the General Government. Whilst the first had been dragged into torpor by Southern opiates—sleeping almost the sleep of death—slavery has been active in weaving its webs, in forging its chains, and it was almost on the point of sounding its exulting note preparatory to full and everlasting triumph. But that confidence was premature—the dirge of Liberty outran her death—and the hasty violence of her treatment excited her again into life. She has again sprung into life—has snatched her rusting armor—walks forth as a queen—proclaims her danger, and calls her sons to her rescue. And who so heartless that he will not do her fealty—so shorn of manhood, that he will not enter her ranks—so envious, as to rebuke and traduce and slander in the hearing of her adversary, the thorough consecration, the elevated enthusiasm of her sons—who shall be found to desert her in her time of need—to skulk from her fair and broad ensigns still waving in our land, and seek his place under the soft and silken, yet gory and blood-dripping banners of the despiser of human rights—the contemner of Heaven's claims? If such there be, shall he claim a patriot's name—a patriot's grave? No—

'High though his title, proud his name,
Boundless his wealth as wish can claim,
Living, shall forfeit fair renown
And, doubly dying, shall go down
To the vile dust from whence he sprang,
Unwept, unhonored, and unsung.'

If the abolitionist has felt indignant at the upholder of Slavery, who is himself enjoying all the blessings of freedom—at him who has become the justifier or the apologist for the violator of every principle he acknowledges to be right, whilst the groan of millions suffering under his wrongs fill the whole air around, where is the marvel? He would be less than man did he feel tame and unmoved. When, too, he finds in him a calumniator of himself in the ears of those whom he has approached for purposes of good—when he sees him thrusting in his shield to ward off from the heart and conscience of the slaveholder the weapons of truth—what must of necessity be his opinion of him? He can no more respect him, than he can believe that black is white. He must think him mischievous and mean. So he must speak of him, if he speak of him at all. And speak of him he must, for he is a traitor in the camp, and therefore the most formidable of enemies. If the cause of Liberty in which he is engaged, succeed—of which there now remains but little doubt—the natural cause of things will consign to contempt and neglect the most conspicuous of its adversaries. Some will find excuse for the slaveholder in fact in the blinding influence of his interest. None will be found for his volunteer conditor, who must necessarily sink in public sentiment just in proportion as that public sentiment becomes purified. Nothing but a total defeat of the cause of Liberty can save him from doom.

In the remarks made in several Nos. under this head, we have confined ourselves chiefly to the following points.

1. That Slaveholders become and remain such from selfish and self motives.
2. That abolitionists are not intolerant in speaking of their guilt;
3. Nor in speaking of the guilt of those who—not being slaveholders themselves—have volunteered in their defence.

We know not, to what extent we may have succeeded. We believe slaveholding as it is reduced to system in our country to be attended with great guilt—that it admits neither of justification nor palliation. We believe, the truth ought to be told to those who continue it and make part of the system, in all its plainness. We believe that the defenders of slavery living in the free States are doing more for the support of Slavery than any other set of men among us—that they are doing more to bring into contempt the principles of Republicanism and the truths of Revelation, than the professed enemies of both.

Whilst we will not say the abolitionists have been without fault, we believe they have been singularly mild in the midst of provocations, and that they have in the main, treated with forbearance not only the slaveholder, but his free state advocate, by whom they have been defamed, misrepresented and thwarted in their benevolent enterprise.

Whilst we are pleased to see such men as Dr. Channing applying their minds to the subject under consideration, we yet have to regret that there are errors under which they labor, that will prevent the full exercise of that influence they would have, were they exempt from them. We have made an honest endeavor to remove some of them. We will trust, that we have not been entirely unsuccessful.

*There is not, it is believed, a barbarian or a savage so low in intelligence or conscience, who does not know and feel, that he is committing a wrong in enslaving a fellow-being who has in no way offended him. It is almost unnecessary after this, to add that there is not a slaveholder of sound mental powers, who, we believe, does not feel, when he can be brought calmly to look at the subject, that his slave is wronged. We do not mean by this, to say, that he does not for the most part, succeed in interposing something or other between himself and the wrong, so as to obscure his moral perceptions and lower the demands of conscience. Abolitionism, since its late rise, has supplanted almost every thing else as this something. Like all other truths of a moral nature, it will be powerful for good or for evil when applied to the heart of man. When it has secured its first great triumph in the emancipation of the enslaved, and the large majority of slaveholders are enlightening in its influences on their own hearts, there will be found among them others sufficiently hardened in feeling and obdurate in purpose to engage in any enterprise even in piracy by sea or by land—on black or on white.

†We wish to be distinctly understood in our notions about intolerance. It has relation exclusively to the mind, the temper of the speaker, and not to the hearer or to the matter spoken. No one will be excused from doing justice and loving mercy, because their claims may have been set forth in a manner that is rough or unpalatable to him. Just so far as we (as an abolitionist) have at any time spoken uncharitably, or without benevolence, for the slaveholder, criminal though he be to the highest extent, we have been to blame and we ought to repent. But at the same time our uncharitableness, our want of benevolence will, if we have spoken the truth, excuse no slaveholder from hearing and obeying it.

An Oplate for the South.

Governor Marcy of New York, has not honored the Abolitionists with so long a notice this year as last. Pledged to the South to use his instrumentality, if the case should call for it, to make the free discussion of Slavery a penal offence, and yet finding this to be a somewhat awkward affair, he has at length concluded that the proceedings of abolitionists are such, as to be 'no longer any cause for disquietude.' This is a very convenient conclusion, and may save him a deal of trouble and infamy. It may seem a little strange that he should come to this conclusion, in broad view of the notoriously rapid increase in the strength and efforts of the 'fanatics'; but it is perhaps to be accounted for from a conviction in his mind, that abolitionism is not that many-headed monster, which it is represented to be. It is probable that his Excellency at last begins to believe that abolitionists are quite innocent of any malicious designs upon the South. This is all he says about them.

'At the commencement of the last session of the legislature, the public mind was most disturbed in several of the states by schemes then on foot for abolishing domestic slavery. Some undoubtedly embarked in them with good intentions; but it is now more evident perhaps than it was then, that many of the agitators were prosecuting political designs under the mask of pretended philanthropy. As soon as the excitement ceased to subserve party purposes, it began to abate. Although these fanatical proceedings have not been entirely discontinued, they are not now of such a character as to attract much public attention here, or furnish any just cause for alarm elsewhere. The mass of our fellow-citizens, without regard to party distinctions or religious sects, reproached them, and united in urgent and strong appeals to the agitators to forego their mischievous designs. It was then a matter of sincere regret, that any had given their sanction to measures tending to disturb the friendly relations among the members of our Federal Union; and it is now a subject of congratulation, that rebuked and circumscribed as these proceedings have been, I trust will continue to be, by the vigorous and healthful tone of public opinion, there is no longer any cause for disquietude on this account.'

One remark: Last year 'public opinion' was so 'healthful and vigorous' in its 'tone,' as to desecrate God's sanctuary by a mob, and, by the same dirty instrument, to disperse the Convention that assembled in Utica for the purpose of forming a State Anti-Slavery Society. This year public opinion had become so diseased and debilitated, as to allow of a large meeting of the same society in the same place without any disturbance, and to compel some of the mobocrats formally to explain to the very objects of their violence their lawless conduct.

Another remark: The South must excuse their friend, the Governor. He did all he could, but New York is not yet quite Southernized. He went about as far as slaveholders dare go when they threaten a Southern Convention—he talked.

Mr. Patterson—A man born too late.

We commend Mr. Patterson, Senator in the Ohio Legislature, to the special notice of the humanized world. He is known to us chiefly by one thing, and that is, by his earnest devotion to the following bill, before the state Senate.

'The first section of this bill provides, that if any negro or mulatto person shall be found within this state, who has not complied with the provisions of the act to which this is amendatory, upon complaint made, or information given, to a justice of the peace, he shall cause such negro or mulatto person to be brought before him, and if, upon examination the justice is of opinion that he is not entitled to a legal residence in this state, such negro or mulatto person shall be directed to depart from within a limited time, within thirty days after the date of such order, to arrest and imprison him for a term not exceeding ninety days, during which time he shall be fed on bread and water only, and at the expiration of such term, it shall be the duty of the sheriff to remove him to the state or territory, where he is believed to have been last resident. The third section makes it the duty of each town or county, to give this act, and the act to which this is amendatory, in charge to the grand jury at each term thereof, &c.'

From the account of a debate on this bill, we quote the following:

POETRY

For the Philanthropist.

"Behold to obey is better than sacrifice, and to hearken than the fat of rams."—1 Samuel, 15, 22.

Lo! on Zion's sacred walls,
See the weeping hermits stand,
Powers of darkness hover round,
Waiting to devour the land.
Hark! they cry, on every side,
Help, in this our day of need,
Satan's power must be disarmed,
Zion's king the host will lead.

Far and wide the trumpet sounds,
Many to the ranks repair,
High the sacred ensign waves,
But Jehovah is not there.
Dangers thicken, foes increase,
Satan's rage like a flood,
Still he comes not, Zion's king,
For their "hands are full of blood."

Now before his altar bow'd
Long his presence they entreat,
And their countless "rings lay,
At the blessed Saviour's feet,
Hark! he thunders from on high,
"Vainly ye my aid invoke,
"Vain the oblations that ye bring,
"Hear the words my mouth hath spoke.

"Innocent on altars pour'd,
"Beaten on the cross, or slain,
"Not by numbers or by might,
"Soldiers of the cross, prevail.
"The Lord of earth and heaven,
"Depths below, and heights above,
"At your hands no offering ask,
"Thy obedience that I love.

"Justice and judgment are my throne,
"Love and truth belong to me,
"Grind no more my suffering poor,
"Break every yoke, the captive free.
"Then will I your year-ward be,
"Onward, shall your conquests roll;
"And your light as morning break,
"Spreading round, from pole to pole."

CYNTHIA.

Putnam Dec. 27th, 1836.

Isaiah 1, 15.

Isaiah 1, 11-13.

Isaiah 89, 14.

Isaiah 57, 6-8.

ANNALS OF KIDNAPPING.

KIDNAPPING IN NEW YORK.

"We take the following from the New York American of the 4th. Our readers will see from it that New York is infested with kidnappers, that some of these men are in office, and what is more, that New York is virtually, by the decision of a court, as we shall show in another column, of the "proper authorities," a slave port.

The advertisement we publish to-day of David Ruggles, a colored man, of us we hear, exemplary character, should attract public attention.

If the facts set forth by this person be true, what shall be said of our laws, or of the conduct of Police officer Boudinot.

We may assume, we hope, without fear of offence to any set of men, that kidnapping is a heinous crime, and one that should be punished when it occurs, with great severity, and prevented from occurring by all reasonable precautions.

Is it possible that Boudinot has the sort of "proving commission," or warrant from Governor Marcy, of which he boasts authorizing him to arrest any individual pointed out by a slave-catcher, as bearing such and such a name?

We cannot believe it, and hope to see the allegation authoritatively denied.

SAVAGE OUTRAGE AND THREAT TO LIFE!

Mr. Editor: I have hesitated to call the public attention to the "outrage alleged to have been committed on board the 'Brig Brillante,' on the night of the 24th inst.," to correct the false reports in relation to that outrage and myself until now; when I trust, that the newspapers have ceased to abuse their mind in relation to it.

It is a duty which I owe to them and myself, to state the facts in this, and in a subsequent outrage, so far as I am acquainted with them; and to pronounce the charges against me in the matter of "riot," or "outrage," or "assault," to be malicious and false.

I have never visited that vessel at any time except in open day, when humanity urged, and duty directed me. And the idea of my boarding a slave ship at night, within the jurisdiction of the United States, in the port of New York; to release by force her captives on board, when I have been acquainted with the fact for the last three months, that there is a conspiracy on foot to kidnap and to sacrifice me upon the altar of slavery—need not be harbored for one moment in the minds of the most prejudiced. I will state a fact in another place, to show that the savage slave catchers who came with their pistols, dirks, and clubs, and handcuffs, and a gag, to pounce upon me and drag me to the South, did not themselves believe the charge.

That I aided in employing every legal and proper means in our courts of law, to let the slaves go free, I admit, and shall endeavor to do so in every like suspicious case; but I sought not, I merit not the praise of releasing them; I left that duty to be performed, that laurel of liberty to be won by "the proper authorities," whose duty it is to execute the laws of our country, which prohibit the "bringing in, or importing African slaves into the jurisdiction of the United States from any foreign place, kingdom, or country in any manner whatever."

After being instructed in the fact that "the proper authorities" are willing to submit to the "bringing in," and even to the importers holding such slaves in our city prison, until it might suit their convenience to remove them on board the vessel or (if he reserves his intent to sell) to the South—I held and still hold that that vessel ought to be libeled, and the crew carried up to a higher tribunal; but since, as I am informed that the Portuguese who called at my office, and stated that the Brillante belongs to the Governor or Mayor of Rio Janeiro; that she is one of fifteen or twenty slaves which he employs in the slave trade; that she shipped to come to this port; she is to get an outfit to go to the coast of Africa for a cargo of slaves, and the one who informed me on a subsequent occasion, that the vessel returned from the coast with slaves a few weeks before they left Rio Janeiro; have not been seen on board the vessel for several days, I may not, in the absence of the proof to convict the captain and condemn the brig, proceed further; while at the same time I am satisfied that the vessel merits large suspicion.

It is said "that two of the slaves are liberated." I have to regret that they are not all liberated by the law, as much as I regret that the reported occasion was furnished by the friends of the poor emancipated victims, that the pro-slavery party could raise the cry "Outrage!" "Negro riot!" and "Assault," to enlist the public sympathy in favor of De Souza, the oppressor, while he transports the oppressed to some Southern market, to be sold to the highest bidder! Money is scarce—men are the most valuable commodity that can be sent to the Southern market;—they offer "Two THOUSAND DOLLARS for able bodied slaves" in Florida.

And according to the moral and political character, the Courier and Enquirer, of this morning, which professes to be acquainted with De Souza's financial affairs, and intimates that the lawyers have fished him very close,—"If this be true, it would, I think, be unsafe to say that he has not taken the hint from the late decision, and reserved his intent, and sold them to the South."

But let us return to the *Savage outrage*. On Wednesday morning, 25th inst., between one and two o'clock, several notorious slave-catchers made an attack upon the house in which I board, and attempted to force open the doors. I arose from my bed and stepped to the door, and inquired who they were? "Is Mr. Ruggles in?" "Yes," "I wish to see you, sir?" "Who are you?" "A friend—David, open the door." "What is your name?" "Why—why, it is Nash; I have come to see you on business of importance." "What's the matter?" "Nothing—I only wish to see you." "On some private business." "This is rather an unreasonable hour, Mr. Nash, to settle private business; call in the morning at 9 o'clock." "Open this door or I will force it open." "It shall not be opened to-night, sir, unless you tell your errand." "Then I will get authority from High Constable Hays, (he retired, and soon returned) 'I have got authority from High Constable Hays to break open this door! Come on boys.' He forced open the door; and he and others of his clan made a rush up to my room like hungry dogs; but

finding that they had missed their victim, they commenced an assault upon the defenceless landlady; menaced her with clubs, pistols and dirks, that she might produce me. Mr. Joseph Michaels appeared, as the mate of the "suspected slave." He had his dagger raised to strike the sister, and bade him, "hold the blow, or I will strike you down!"

The assistance of the watch was called by me. Mr. M. was seized, and the hand-cuffs that Mr. Nash brought for me placed upon him, and he was dragged to the watch-house, where I am informed Nash took from his cap a half sheet of paper, which he said was the writ that he had obtained from High Constable Hays, to take me as a slave. After disposing of Mr. Michaels, he had his clan returned to Lispenard street, in company with the watchman, and others who were disinterested. Nash said, "Had I have caught the fellow out of the door, we would have fixed him." "Yes," said the savage Portuguese, brandishing his dirk, "if he would not go, I would soon have put an end to his existence; he would never interfere with Brazilians again." "What did he do?" "Why," replied Nash, "he went down on board the Brillante and assaulted the captain." "How do you know it was him?" Nash said, "If he did not do it, some of the blacks did, and he is the ringleader among them."

Nash did not call to see me at eight o'clock in the morning; at 12 o'clock I proceeded to see him, or to make a statement of the facts in the case to the mayor.

As I entered the city hall, I was pounced upon by Boudinot, who dragged me to the police office. I desired him not to drag me in that manner, and to show his authority to arrest me, because I would walk to the office with him. He refused to do so, and jammed me against one of the marble pillars—said he, "I was after you last night."

When I appeared before the magistrate, he said that he understood that I had been engaged in a riot on board the brig Brillante, on the night of the 24th inst., and that I must find bail to appear before the sessions to answer to the charge. My friend stepped out for my bail. Boudinot immediately dragged me to the city prison, and gave the jailer a paper, who said, "I have no right to lock him up, that is not a commitment." "Yes it is," said Boudinot, "shut the fellow up."

In less than twenty minutes they had me on the way to Bellevue prison. They said, "we have got him now, he shall have no quarters, we will learn him to publish us as kidnappers."

Now, whether these men did intend to take me from my bed, and send me to the South with Waddy, the notorious southern slave catcher, who, I am informed, sailed for Savannah on Wednesday morning; or, to "put an end to my existence," if I resisted, I cannot say, in the absence of proof; I hope they did not. But from their conduct, and from the manner in which I am informed, Boudinot, Nash, John Lyon, and Waddy carried off Peter John Lee from Rye—and from what I have understood (for some two or three months past) they intended to do with me, I must confess, considering all the circumstances in the case, that I do believe that this was a desperate effort to execute their threats by sending me to the South. Nash is not a police officer, therefore the magistrate could not allow him a warrant to apprehend any one. Boudinot did not enter the house; he doubtless expected that I would attempt to escape in the street, that he might take me with the warrant, which he intended to produce, and obtain from Governor Marcy, in 1832 or '33, by which he can arrest any colored person that Waddy may point out to him named "Jesse," "Abraham," "Peter," or "Silvia," and send him or her south, without taking such person before a magistrate, as they did Peter John Lee.

Now, I thank Heaven that I am still permitted to live, and take fresh courage in warning my endangered brethren against a gang of kidnappers, which continues to infest our city and the country, to kidnap men, women and children, and carry them to the South; while Boudinot holds a warrant, by which he says he has been sending colored people to the South for the last three years, and with which he boasts that he can "arrest and send any black to the South"—no man, no woman, no child is safe.

Our houses may be broken open at night by northern and southern and Portuguese slave catchers; we may be assaulted and threatened with clubs, pistols, or dirks, and handcuffed, and gagged, and carried away to the South, while humanity and justice continue to sleep!

Most affectionately and diligently yours in the cause of human freedom.

DAVID RUGGLES.

New York, Dec. 29th, 1836.

If the American community will tamely acquiesce in the perpetration of such outrages, they will deserve to be executed by mankind, and to have their name and place taken away, as a nation. Who does not see in the above transaction solemn reasons for persisting in an exterminating war against slavery? Let the scorn, the frown, the rebuke of every honest man, fall like lightning on this atrocious system. EDS. PHIL.

From the Friend of Man.

KIDNAPPING IN UTICA!

THE SLAVE COAST IN ONEIDA COUNTY!!
PIRACY AND LAW IN THE STATE OF NEW YORK!!
SCENES OF RENEGAL ON THE BANKS OF THE MOHAWK!!

The abduction of Morgan, though effected under the formalities of law, and with all the previous precautions of secrecy and skill so requisite in a community of honest freemen, to prevent any of those vulgar ebullitions of common humanity, politely denominated "excitements" was, nevertheless, instrumental, by the sensation it produced when discovered of one of the most important and interesting revolutions of public sentiment in modern times. We have mistaken the people of the interior of New York if scenes like those we are now called upon to record, can be enacted among them without producing effects not less striking and salutary. We very much doubt whether the time is far distant in which it will be accounted infamous for any man, (whatever may be his avocation or station, to assist in the abduction of a citizen for the purpose of enslaving him, as it would to assist in a similar process for the less merciful object of plunging him into the Niagara river.

Last Thursday was marked by a scene of thrilling interest to our citizens. We commence with the

STATEMENT OF SPENCER KELLOGG.

Mr. GOODALL:—Dear Sir:—I have never, until recently, fully appreciated the remark so generally made in all the anti-slavery publications,—"that slavery has a direct tendency to paralyze all moral sensibility," but experience has now taught me an entirely different lesson. I am now constrained to acknowledge that it contaminates all over whom it has power to exert the least possible influence. To what other conclusion could any intelligent being come, after witnessing its withering and corrupting influence on gentlemen in this city who have hitherto been remarkable for their manly deportment and dignity of character?

Allow me, dear sir, through the columns of your excellent paper, to give, in detail, some of the circumstances that occurred on the 29th inst., in connection with the taking of two colored men as fugitives or runaway slaves. About half past 9 o'clock, on the morning of the 29th, a gentleman of high standing in this community called on me, and informed me that there were then, in this city two gentlemen from the South, in search of runaway slaves, and his opinion was that they had seized, or were about seizing upon their prey; and earnestly desired that something might be done for the protection of these unfortunate victims of their cupidity. It should here be distinctly understood that the informant had never subscribed the anti-slavery constitution, nor did he approve of the measures of the abolitionists; but possessing, in common with many others, a ten-

der sympathy for suffering humanity, he could not suppress the full gushing of his noble soul.—As I am not at liberty to mention his name, allow me, through your paper, to express to him my heart-felt gratitude; feeling, as I do, that this gentleman, in the providence of God, was the means of saving two innocent men from the scourge of the relentless and iron-hearted negro driver, and from interminable slavery.

Immediately on receiving this information, I stepped to the front door of my store, and saw Mr. Lawrence coming down the street. On his approach, I communicated to him the information which I had just received; and, whilst conversing with him, I saw Mr. Chase, the constable, drive by in a cutter with two colored men. He stopped at the office of JUDGE HAYDEN, and immediately ascended the stairs, with the colored men accompanying him, and whilst we were yet talking, Mr. Chase returned. I requested Mr. Lawrence to go and ask Mr. Chase for what crime those colored men were taken in custody. Mr. Lawrence returned and stated that "it was for stealing potatoes."

I observed that I did not believe it. He said he could not doubt the veracity of Mr. Chase.—"Why," said I, "would they take individuals before a Judge for petit larceny?" Still Mr. Lawrence expressed the fullest confidence in the integrity of Mr. Chase. Being still suspicious that all was not as represented, I concluded to go to the office of Judge Hayden. I immediately proceeded thither, in company with Mr. Lawrence. When we entered the room we discovered Judge Hayden, Joshua A. Spencer, James M. Hatch, Mr. Chase, Mr. Bildad Merrill, two colored men, and two strangers. The two latter were afterwards discovered to be either the kidnappers, or the claimants of the colored men. The judge and the counsel were holding in their hands books and papers. After the common salutations, we were asked to take seats,—we did so; and after some length of time, at which interval, not a word above the breath was spoken, by any individual, I arose from my seat; and, in a low tone of voice, said to Mr. Lawrence, "I wish you to go to my store and request my son, or go yourself, after Mr. Stewart," for I was satisfied that all was not right. At this suggestion he left the room, and I gain resumed my seat, and after being seated for some little time, and the silence not yet broken, I determined to rid myself of the suspense which I was in, and discovering no disposition to break the long continued silence, I arose and addressed Judge Hayden, and requested to know if the colored men before him were in custody for stealing. He frankly answered that they were not. I then asked him if they were brought up as fugitives, or runaway slaves. He said they were. I asked him how he proposed to proceed with them. He answered, "by taking the testimony of the claimants." Mr. Spencer then said that he wished the testimony to be taken orally. I then stated to the court that I thought this *ex parte* way of trying men was not right; that they were entitled to justice and requested that they might have counsel; to which the court replied that there was no objection to their having counsel, and asked how long it would take to get counsel. I told him that I did not know. He asked me if I could get it in half an hour. I informed him that I could not. The court then said, he did not wish to press me. In a few moments he asked me how long I thought it would be before counsel could be obtained. I told him I did not know, as we were taken by surprise. At this period of time, I was passing by J. A. Spencer, Esq., and he observed that there was "no need of this excitement." I replied that it appeared to me very astonishing that those individuals should be arraigned in this secret manner; and I understood him distinctly to say, in reply, that "the subject was a VERY EXCITING ONE, and it was his design to keep it secret."

Surely the touch of slavery produces the same effect on the moral man, as the touch of the upas tree on our animal nature.

S. KELLOGG.

We will next state a few particulars witnessed by ourselves. On learning that two colored men were under detention at the office of Judge Hayden we went in, and found Mr. Kellogg with Mr. Spencer, and others, waiting for the appearance of Alvan Stewart Esq. who presently came in. A considerable number of citizens had, by this time, come into the office.

Mr. Stewart, in addressing the court, remarked, that if slavery was "entitled to its pound of flesh," it should at least, be compelled to take it "according to law," and take it "without shedding a drop of blood." These colored men, it appeared, were under no legal arrest, they had been taken up without any legal process and the constable, if he detained them, detained them at his peril. This rushing upon men without legal process, he remarked, was a part of slavery—a relic of the kidnapping process, as it originally was practiced in Africa, and he asked whether the courts of the State of New York should now sanction it.

We shall not, in this place undertake to give a precise and full account of the points argued between Messrs. Stewart and Spencer, but shall merely record a few sentences we noted down at the time, as containing sentiments or concessions which at the time, we deemed worthy of preservation.

Mr. Spencer, in reply to some expressions of regret, on the part of Mr. Stewart, that he should have stooped to the advocacy of such a cause, replied that he should never turn clients out of doors, who came into his office to ask his services, and came introduced by respectable gentlemen of his acquaintance. As to slavery, he said—"It was not a matter of reproach, but a matter of regret." He afterwards said—"It is no reproach to Virginia that slavery exists there." The following sentence we noted down, carefully from the lips of the speaker, without being able to form any conjecture respecting his meaning. "If those rights," said Mr. Spencer, "exist at the South, which we abhor, let us respect those rights."

Judge Hayden, in the course of his remarks, said—"If the Magistrate finds the law such as he cannot in conscience, execute, he is bound to resign his office. But I have not yet come to that conclusion in respect to the laws for returning fugitive slaves. Possibly it may be true that a Judge of the State of New York is not bound to take cognizance of cases of this sort. He might perhaps, say that if the Congress of the United States wish their laws executed, they might appoint judges for the express purpose. But, as a citizen of the United States, I shall not decline executing those laws, convinced as I am that they are essen-

tial to the preservation of the Union; and that this Union is of inestimable value to the cause of human freedom.

[And so his honor, very humbly, we presume, would assist in sending men into slavery, for the promotion of the cause of human freedom! The facts of his honor, are more valuable, we think, than his logic. Judges of the state of New York, are not bound to take cognizance in these cases. Lawyers, then, certainly, are not bound to assist kidnappers—not constables to catch men, and tell untruths for their benefit.]

"The person who makes the arrest," said Judge Hayden, "does indeed make it at his peril. If the person is not proved to be held to service and labor, he is then liable to be prosecuted for damages and false imprisonment."

Another important admission. It settles the principle that the person arrested in this manner is entitled to be treated by his fellow citizens as being in fact free, up to the very moment in which he is proved to be "held to service and labor." That fact must first be legally established before any persons can be required to consider him a fugitive slave. Until he is so proved, he is under no regular and legal arrest. By this kidnapping process of seizing upon men without any legal warrant, the citizens are absolved from any obligation to consider the victim a slave: since every man, in the state of New York, is to be considered a freeman until the contrary be made to appear. And yet it was remarkable that the counsel for the kidnappers was continually speaking on the assumption that the colored men were slaves. After some discussion, Mr. Stewart, as counsel for the colored men, requested opportunity to confer with them, and to prepare for the trial, and for this purpose moved an adjournment, which, about noon, was granted by the court, the examination to take place at half past six in the evening; no evidence in the case having yet been given.

Intending to witness the trial, we called on Mr. Stewart and accompanied him from his residence in the upper part of Genesee street, a few minutes before the appointed time. While passing down Genesee street, about half way to the canal, we heard a shout of voices down street, and learned on inquiry, that the colored people had found means to effect the release of the intended victims.

Particulars of the release.

It is said that the colored men, after the adjournment of court, were kept in a back room adjoining the office of Judge Hayden, and were guarded by some individuals, among whom were the two adventurers from Virginia, one of whom is said to have been a turn-key of a Virginia jail, and the other a neighboring shoemaker, who had joined him in the laudable enterprise of earning a twelve hundred dollar reward! The lobby or back room of an Oneida county Judge* was rather oddly selected, we should think, as the Bastille, on an occasion of this sort, in which two unconvicted citizens, were held in duress, without any legal authority, by the Judge's own showing. But let that pass for the present. His Honor, we understand had gone to tea. The colored people collected in the entrance and on the stairs in sufficient numbers to burst in the doors, and after a short scuffle, and, it is said, a few interchanging blows, they succeeded in extinguishing the lights, and escorting off and securing the objects of their efforts. Such is the current statement of the matter. Of its accuracy we have no special voucher, and we would by no means approve of the use of violence, on this or any other occasion.

The Witnesses.

No testimony, in the case, was taken by the court, and yet the public would probably be gratified to know, on what testimony, these two men were expected to be deprived of their liberties in so summary a manner, in two or three hours, without counsel and without a trial by jury. The statement of Mr. Kellogg will show. The two adventurers from Virginia, it seems, were the only witnesses in attendance. They were also the only parties in attendance, except the two colored men, who had any interest in the case—they were about to testify orally—and their testimony was to have placed, according to the current belief of this community, about twelve hundred dollars into their own pockets!

Character of the Transaction.

If such are indeed the facts—and we see no other supposition to be made—we inquire, seriously, whether such a transaction, if it had been consummated, as the Virginians so confidently expected, would not have presented, in all its aspects, a case quite as alarming to the security of freemen and, morally speaking, altogether as difficult to be justified, as the mock trial and abduction of William Morgan. What the result actually would have been, if Mr. Kellogg had not providentially—almost miraculously been led to intertere, we pretend not to know. If any of our readers wish to know the common impression in the minds of our citizens in respect to this point, let them make the inquiry for themselves. Or if this be not convenient, let them form their judgments in view of the facts already presented. In the first place, the poor victims would have been alone and unfriended, in custody of an officer who had affirmed, contrary to fact, that they were in custody for petit larceny. The counsel opposed to them, was desirous of avoiding an excitement, and wished to keep the matter secret. The Judge, it appears, by his own statement, was about to proceed by taking the testimony of the claimants!—he had no conscientious scruples about returning fugitives from slavery—and the intended witnesses had made all their arrangements for starting off, post haste, with their prey, as soon as a favorable decision should be obtained, which they were confident would be in two or three hours! What chance they would have had for their liberty, the reader will estimate for himself.

Security of Liberty at the North.

And now we ask what security any man, of any color, can have for his liberty and his character if practices like these are to be tolerated among us? Our memory now recurs to several scenes we have heretofore witnessed in other towns and cities, which, at the time, elicited no suspicion, but which, we have now no manner of doubt, were literally barefaced acts of down right kidnapping. One story will answer for a dozen. We knew a free colored man, a native of the north, who had always sustained a fair character, who was one day seen dragged by a constable into a justice's office. On enquiry, we were told he was taken

* We understand that the room belonged to the premises of his Honor. It was very nearly situated to his office, if our information of its location be correct.

up for stealing. We were astonished to hear such a thing of the man, but presumed justice would be faithfully administered. On enquiry, a few days afterwards, what had become of the man, we were told that he had been released on condition of leaving town. Such a disposition of colored vagrants had not been uncommon, and at the time we supposed it true. But the man has never been seen or heard of since, and we have now no doubt that he was kidnapped, under cover of the forms of law, and carried into hopeless slavery. According to the practice of the courts, if any man wishes to kidnap an unfriended stranger, he has only to accuse him of stealing, suborn two or three witnesses, and the process is exceedingly simple. There can be no doubt that a large portion of the odium resting on the free people of color in our large cities, as being a class peculiarly addicted to thieving, arises from the fact that almost every time a fugitive is arrested, or a freeman kidnapped into slavery, it is done under the pretext of arresting a man for thieving. The cry of "stop thief," in New York, if raised against a colored man, is now becoming to be generally understood. Loss of liberty and loss of character are made to accompany each other, and the infamy is extended to the whole class intended for the victims of future kidnapping!

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